IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

ELLEN S. STAPLES, Individually,
ELLEN S. STAPLES, Administratrix of the
Estate of Rodney Staples, Deceased)
) **PLAINTIFFS**
)
) **Civil Action 1:10-CV-249-MPM-JAD**
)
vs.)
)

REGIONS BANK d/b/a Regions Bank, Inc.,
LOTSOLUTIONS, INC., DR. MARK SHEPHERD, Individually,
ENDOCRINOLOGY CONSULTANTS, PLLC, and JOHN DOES,
1-5, and John Doe Corporations 1-5 **DEFENDANTS**

MOTION FOR LIMITED DISCOVERY AND
FOR ADDITIONAL TIME TO FILE SUPPLEMENTAL AFFIDAVIT

Comes now Plaintiffs, Ellen S. Staples, Individually and Ellen S. Staples, Administratrix of the Estate of Rodney Staples, deceased, (collectively, "Staples") and moves this Court to allow limited discovery and for additional time to file supplement affidavit "Staples" would show:

1. Plaintiff may need additional information in this matter on two relevant points regarding Defendant's Motion to Compel Arbitration. Plaintiff needs additional time for discovery on the arbitration issues herein.

2. Plaintiff further needs the Court to grant a period of time for limited discovery as to a final determination as to whether Plaintiff's Debt Protection Plan Rider in this matter is insurance for purposes of Mississippi Department of Insurance regulation. Plaintiff may have to hire an expert or have a representative from the Mississippi Insurance Department testify or file an affidavit on the issue.

3. Plaintiff would show that she has undergone heart bypass surgery on November 22, 2010 and due to her illness and recuperation has been unable to assist her attorney in preparing a full-fledged affidavit supporting the Response to Defendant's Motion to Compel Arbitration herein and Plaintiff was only able to submit

a bare-bones affidavit, due to her medical condition. Plaintiff seeks an order allowing Plaintiff additional time to file a supplemental affidavit in support of the aforesaid Response.

WHEREFORE, Plaintiff moves for and should be granted:

(1) An Order giving Plaintiff herein time to pursue limited discovery on the arbitration agreement herein and limited discovery on the issue of whether or not the "Debt Protection Plan Rider" herein is an insurance product, subject to Mississippi Department of Insurance regulations; and

(2) An Order giving Plaintiff additional time until December 22, 2010 to file a supplemental affidavit in support of her Response to Motion to Compel Arbitration.

This the 2nd day of December, 2010.

Respectfully submitted,

ELLEN S. STAPLES, Individually,
ELLEN S. STAPLES, Administratrix of the
Estate of Rodney Staples, Deceased, PLAINTIFFS

By: /S/ David S. Van Every, Sr.
DAVID S. VAN EVERY, Sr.

DAVID S. VAN EVERY, SR.
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MS BAR 6094

CERTIFICATE OF SERVICE

I, David S. Van Every, Sr., do hereby certify that I have this date caused a true and correct copy of the foregoing instrument to be delivered to the following, via the means indicated by CM/ECF and/or mailed, by United States Mail, postage prepaid:

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SO CERTIFIED, on this the 2nd day of December, 2010.

/S/ David S Van Every, Sr.
David S. Van Every, Sr.